

# STATE OF INDIANA COUNTY OF LAPORTE IN THE LAPORTE CIRCUIT AND SUPERIOR COURTS

## Notice of Proposed Amended Local Rules July 27, 2016

In accordance with Indiana Court Rules, the LaPorte Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the current rules on **Court Reporter Services** at **LR46-AR15-3**, and **Felony Bonds** at **LR46-AR00-10**. We find good cause under Trial Rule 81 (D) to deviate from the schedule for amending local rules. All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for the amended rule on Court Reporter Services, and is requested.

In accordance with Trial Rule 81 (B), the time period for the bar and the public to comment will remain open to **August 28, 2016**, and will be effective on **September 1, 2016**.

Comments by the bar and the public should be made in writing and mailed, or emailed, to: Hon. Thomas J. Alevizos, Judge of the LaPorte Circuit Court, Attn: Public Comment on Local Rules, LaPorte County Courthouse, 813 Lincolnway, LaPorte, Indiana, or [talevizos@laportecounty.org](mailto:talevizos@laportecounty.org).

A paper copy of the proposed amended local rule will be made available for viewing in the office of the Clerk of LaPorte County, LaPorte County Courthouse, 813 Lincolnway, LaPorte, Indiana during normal business hours.

On behalf of the Judges of LaPorte County,

\_\_\_\_\_/S/\_\_\_\_\_  
**Thomas J. Alevizos, Judge**  
**LaPorte Circuit Court**

**Section One. Definitions:** The following definitions shall apply under this local rule:

- (1) A *Court Reporter* is a person who is specifically designated by a Court to perform the official court reporting services for the Court including preparing a transcript of record.
- (2) *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, and any other device used for recording, storing, and transcribing electronic data.
- (3) *Work Space* means that portion of the Court's facilities dedicated to each court reporter and shall include, but not be limited to, actual space in the courtroom and any designated office space.
- (4) *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) *Recording* means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but are hours not in excess of forty (40) hours per work week.
- (8) *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.
- (9) *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) *Court* means the particular court for which the court reporter performs services.
- (11) *County indigent transcript* means a transcript that is paid for from county funds and is to be used on behalf of a litigant who has been declared indigent by a Court.
- (12) *State indigent transcript* means a transcript that is paid for from state funds and is to be used on behalf of a litigant who has been declared indigent by a Court.
- (13) *Private transcript* means a transcript, including but not limited to a deposition transcript that is paid for by a private party.
- (14) *Expedited transcripts* are those which are requested to be completed within five (5) days.

## **Section Two. Salaries and Per Page Fees**

- (1) Court reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising Court.
- (2) The maximum per page fee a court reporter may charge for the preparation of a county or state indigent transcript shall be a regular page rate of ~~\$4.00~~ \$4.50 per page; ~~\$4.25~~ \$4.75 per page, appellate page rate; and an expedited rate of \$7.00 per page for expedited transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be a regular page rate of ~~\$4.50~~ \$5.00 per page; ~~\$4.75~~ \$5.25 per page, appellate page rate; and an expedited rate of \$8.00 per page for expedited transcripts.
- (4) ~~The maximum fee that a court reporter may charge for copies shall be \$2.00 per page.~~ At the discretion of the court reporter, an additional \$.50 per page may be charged for technical/medical testimony.
- (5) ~~A minimum fee of \$35.00 shall be required for any transcript ordered. (This includes county and state indigent transcripts.)~~ The maximum fee that a court reporter may charge for copies shall be \$2.00 per page.
- (6) ~~An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for time spent binding the transcript and exhibit binders.~~ A minimum fee of \$50.00 shall be required for any transcript ordered. (This includes county and state indigent transcripts).
- (7) ~~Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.~~ An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for time spent binding the transcript and exhibit binders.
- (8) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

## **Section Three. Private Practice**

- (1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript and the court reporter desires to utilize the court's equipment, work space and supplies, and the Court agrees to the use of the court equipment for such purpose, the Court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

(a) The reasonable fair market rate for the use of equipment, work space and supplies;

(b) The method by which records are to be kept for the use of equipment, work space and supplies; and

(c) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

(2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

*(Amended effective ~~January 1, 2013~~ September 1, 2016.)*

## **LR46-AR00-10    Felony Bond Schedule for La Porte County Courts**

### 1.    Felony Bond Schedule

MURDER – a FELONY	\$1,000,000 Cash Only
Level 1 FELONY	\$100,000 <del>with 10% cash option</del>
Level 2 FELONY	\$50,000 <del>with 10% cash option</del>
Level 3 FELONY	\$25,000 <del>with 10% cash option</del>
Level 4 FELONY	\$20,000 <del>with 10% cash option</del>
Level 5 FELONY	\$15,000 cash <del>with 10% cash option</del>
Level 6 FELONY	\$7,500 cash with 10% cash option

### 2.    Cases with Multiple Charges; Revocation, Fees

Bond is set for the highest charge only. Charges are not combined. Revocation will result in fees charged at 150% of the standard bond schedule.

### 3.    Cash Option

Defendants facing felony charges of Levels 1-5 may file a request with the Court that Defendant be permitted to post a cash bond equivalent to ten percent (10%) of the scheduled bond amount. Unless otherwise ordered by the Court, the Felony Bond Schedule shall apply and no ten percent (10%) cash option shall apply. Murder Charges are not be eligible for a ten percent (10%) cash option. Level 6 Felony bonds shall be permitted a 10% cash option, as set forth in the LaPorte County Felony Bond Schedule.

### 4.    Bond Eligibility for While Out on Bond

A defendant arrested for a felony is not eligible for bond until the Defendant appears before the Court if he or she is out on bond or on probation with any LaPorte County Court.

### 5.    Habitual Traffic Violator Bond

Any form of Operating a Vehicle While Intoxicated AND Operating a Vehicle as a Habitual Traffic Violator will be \$2,500 cash only.

### 6.    Ignition Interlock Device, Scram, Electronic Monitoring

~~In addition,~~ a Any felony of Operating a Vehicle While Intoxicated will be charged a deposit in the amount of \$200.00 for an Ignition Interlock Device, scram or some equivalent device. A condition of bond in those cases will be that the device be installed within 72 hours of posting bond, if it has been ordered by the court.

~~A DEFENDANT ARRESTED FOR A FELONY IS NOT ELIGIBLE FOR BOND UNTIL THE DEFENDANT APPEARS BEFORE THE COURT IF HE OR SHE IS OUT ON BOND OR ON PROBATION WITH ANY LAPORTE COUNTY COURT.~~

~~Bond is set for the highest charge only. Charges are not combined. Revocation will result in fees charged at 150% of the standard bond schedule.~~

*(Amended effective ~~July 1, 2014~~ September 1, 2016.)*